**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

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WRIT PETITION No. 23783 of 2004

Between:

Smt. B. Ashwini, W/o. Sri B. Ashok,
R/o. Toopran, Medak District. ..... PETITIONER

AND

1 The District Collector, Medak at Sangareddy.
2 The Mandal Revenue Officer, Toopran, Medak District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in proposing to sell the land in Sy.No.380 (380/2E) admeasuring Ac.3.00 situated at Allapur Village, Toopran Mandal, Medak District, A.P., in pursuance of advertisement about Lr.No. E2/4996/02 dated 13-12-2004 issued in Eenadu news paper dated 17-12-2004 as illegal, arbitrary and without jurisdiction.

Counsel for the Petitioner : Mr.V.MANOHAR RAO

Counsel for Respondents : G.P. FOR REVENUE

The Court made the following :

**ORDER:**

Heard the learned counsel for petitioner and the learned Government Pleader for Revenue.

The petitioner claims to be 'D' form patta holder of land bearing Survey No.380 (380/2E) admeasuring Ac.3-20 guntas situated at Allapur village, Toopran mandal, Medak district, which is stated to be granted to her by the second respondent through his proceedings dated 31.1.1998. It is stated that the first respondent issued impugned notice dated 13.12.2004 in Eenadu newspaper, proposing to sell the land at different places including the land belonging to petitioner and pursuant to the same, the respondents have earmarked petitioner's land for auction. Questioning the same, the present writ petiton is filed.

The learned counsel for petitioner submits that the impugned notice of the first respondent dated 13.12.2004 is contrary to principles of natural justice. He further submits that without issuing any notice to the petitioner, who is the owner of the land in question by virtue of 'D' form patta, the respondents are proposing to conduct auction of the aforesaid land.

On instructions, the learned Government Pleader submits that the respondents are proposing to conduct auction of lands only in Survey No.380/E/3 which is a Government vacant land, but not the land belonging to the petitioner.

In the light of the submission made by the learned Government Pleader, no further orders are necessary in this writ petition and the same is accordingly closed. No costs.

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N.V.RAMANA, J

Date: 21.12.2004

DA

To

1 The District Collector, Medak at Sangareddy.
2 The Mandal Revenue Officer, Toopran, Medak District.

3 Two CCs to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

4 Two CD copies.